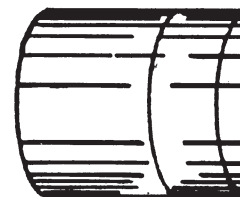


# The Connection



A WELL DRILLING INDUSTRY NEWSLETTER

MISSOURI  
DEPARTMENT OF NATURAL RESOURCES


Spring 2004

Volume 12

Number 4



## THOUGHTS ON HOUSE BILL 1546

The Missouri General Assembly is considering an important piece of legislation that would change some of the key provisions in the Water Well Drillers Act. Representative Danielle Moore of the 20th District is sponsoring the legislation at the request of several Board members of the Missouri Water Well Association. The bill was introduced in the House Agriculture Committee in early March, 2004. After written and verbal testimony was offered both in support of and in opposition to HB 1546, the sponsor is currently considering a House Committee Substitute that may be introduced in early April. The bill can be viewed online at (<http://www.house.mo.gov/bills041/bills/hb1546.htm>); or call the division and staff will provide you a copy. Please take the time to review the content of this legislation while there is an opportunity to voice your opinion. 

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## DIVISION MEETINGS WITH THE MISSOURI WATER WELL ASSO- CIATION

In recent months, the officers of the Missouri Water Well Association (MWWA) and their attorney have requested meetings with division staff to discuss MWWA concerns. The following is a summary of the major issues, and the division's response:

1. The division should increase enforcement against public water systems that do not properly notify the division when someone with a well hooks on to a public water system. *Response: The statute requires public water systems provide proper notification. Additional effort will be dedicated in this area in coming months. The division has been working with the Missouri Rural Water Association on ways to increase awareness. Letters have been drafted to send to public water systems reminding them of this requirement. In addition, the division presented an explanation of Public Water Supply requirements at the Missouri Rural Water Association conference in March.*
2. The division should eliminate certification forms, especially pump certification forms. Officers of MWWA believe the Wellhead Protection Section should stop regulating the construction of new wells and focus instead on closing abandoned wells. This is because new wells

generally are constructed properly and abandoned wells present a far greater threat to groundwater. *Response: The Water Well Driller's Act of 1985 was established primarily to regulate the construction of new wells. The certification of new wells and pumps is a fundamental provision of the law, and the division does not have the discretion to stop this procedure. The division agrees that abandoned wells are a serious environmental problem that could bear additional efforts. However, the current law does not provide the division with any monetary resources to pay for the plugging of abandoned wells.*

3. Certification forms should be made easier to complete. *Response: The division proposes to simplify the pump record by issuance of "postcard" pump forms that could be submitted separate from the well construction form, if the need arises. Also, a draft format for revised water well construction forms has been initiated for review and discussion.*
4. The division should implement changes to ensure that division staff do not make inappropriate statements to well owners regarding contractors during field investigations. *Response: State policies and procedures already cover the manner in which state employees conduct themselves while at work and when interacting with the public. When a problem arises, it is treated as a personnel mat-*

*continued next page...*

ter between the employee and his or her supervisor. Nonetheless, the division has implemented changes to their policy and procedures concerning field investigations to make it clear that information provided should be limited to facts of the case.

5. When the division receives a complaint or learns of a problem with a well, the contractor should be contacted as part of the overall investigation. *Response:* It has always been a recommended procedure for staff to contact the contractor in the course of an investigation. This is being changed to make it a requirement. When a complaint or problem with a well is received, well owners will be referred to their contractors as the first line of problem solving. In cases in which the well owner is at odds with the contractor, policy dictates that the contractor be notified (by phone and letter) when an investigation is started.
6. The division should increase enforcement against unpermitted contractors. It is unfair that permittees are assessed penalties, whereas unpermitted contractors get away with no penalties. *Response:* The law currently prevents the division from assessing administrative penalties against unpermitted contractors. Although civil monetary penalties can be assessed, it requires a very time-consuming process involving the Attorney General's Office. This unfortunate situation is a result of the way the current statute is written. The division would like to see the law changed to allow for administrative penalties or fines to be assessed against unpermitted contractors. 💧

## STAKEHOLDER MEETING REPORT

As you may know the Wellhead Protection Section has been working with a group of stakeholders, that includes contractors, to improve our work processes and look at possible rule changes. Many issues have been discussed during the stakeholder process. Some issues were supported by the stakeholders and will need further action. Some issues will be tabled.

Pre-certification and pre-notification were discussed among the stakeholders, however, there did not seem to be much support on the issue. It was thought that other methods of operation could produce similar benefits without the problems inherent in pre-certification or pre-notification. This issue was tabled.

All stakeholders seemed to like the idea of a well plugging fund. However, a good source of funding could never be established, and a means of reimbursement was not presented. This issue may resurface in the future for additional discussion and means of implementation, but has been tabled for now.

An increase to the water well certification fee is being proposed by the division. Some stakeholders indicated they would support a fee increase, but with wide differences in the level of an acceptable fee. Discussions usually centered on a water well certification fee of \$50 to \$75. Currently, monitoring wells have a \$75 well certification fee as do heat pumps under 50 tons. Heat pumps over 50 tons have a \$150 fee.

Action is underway to create a new well certification form. The new form should eliminate some of the problems with contractors drilling the wrong type of well for its intended usage. The new form would require the well owner's signature attesting to the use of domestic and multiple family wells. The well would not receive a certification number without the owner's signature. The new form

would require four copies rather than the three associated with the current form. The fourth copy would be given to the well owner to sign and forward to the division.

Additional issues discussed include: using one form for domestic and multiple family wells, and another form for high yield wells; a pump certification card similar to a post card where the contractor would fill out the pump information and send it back to WHP; and requiring the use of GPS. The GPS requirement seemed acceptable to all of the stakeholders, and draft rule language has been drawn up. The division has drafted documents regarding the other issues to generate comments. 💧

## JUST A REMINDER

As of January 1, 2004 a \$20.00 fee is being implemented for all vehicles permitted. When you receive your permit renewal letter please pay close attention to the 2<sup>nd</sup> page as this is where the vehicles you have permitted are listed. Also on this page will be a total for the amount of fees you owe on your vehicles.

If you have changes to your list of vehicles please contact this office at (573)368-2115 to receive a new vehicle application. 💧

## EDITOR'S NOTE

*If you have any suggestions, ideas, or comments concerning this newsletter, please let us know.*

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**Rolla, MO 65402-0250**  
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**The Connection** is published quarterly by the Department of Natural Resources Geological Survey and Resource Assessment Division

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Director

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Resource Assessment Division  
Director and State Geologist

## REGULATORY IMPACT REPORT

The Missouri Department of Natural Resources has developed a Regulatory Impact Report (RIR) as a means to provide to the public and interested parties the information on rule development within the department. The report is a summary of the information, discussion, input and rationale used by the department in development of a draft rule. The goal of the RIR is to ensure accountability, consistency and transparency in the rulemaking process. The RIR will use a standardized question and answer format that clearly and consistently addresses the developmental aspects of rulemakings. Distribution of the RIR will make this information readily available to a wide audience in a timely manner. Department programs will ensure that the RIR is made available via the Internet and upon request.

An RIR will be developed for every rulemaking. The length of the RIR will vary widely, depending on the complexity and scope of the rulemaking. For some rulemaking proposals, a detailed RIR with numerous technical and scientific references, explanations, stakeholder meeting notes or recommendations will be warranted. Other rulemakings, such as one amending an address, will require a simple RIR of a page or two. Supporting documents should be made available via references, hypertext links, embedded pdf files or paper copies on file as appropriate for the rulemaking.

Utilization of the RIR was endorsed by a departmental Commission Core Workgroup on January 9, 2004 and on February 23, 2004 by the Well Installation Board. It was felt that if all Boards and Commissions used the RIR, there would be more consistency with rule making procedures. ♡

## Tentative AGENDA WELL INSTALLATION BOARD MEETING

May 17, 2004  
Phelps County Courthouse  
Activities Room  
Street

### 10:00 a.m. Open Session (LUNCH 12:00 – 1:00)

1. Call to Order – Bob Lawrence, Chairman
2. Introductions
3. Review Minutes of Previous Well Installation Board Meeting
4. Update on Well Certification and Notices of Violation – Evan Kifer
5. Review of Newton/Jasper County Stakeholder Meeting – Bob Archer
6. Certification Procedure Change for Public Wells – Bob Archer
7. Public Well Certification Procedure Change
8. NOV Disclosure to Well Owners – Steve Sturgess
9. Rule Changes and MWWA/Stakeholder Meeting Report – Steve Sturgess
10. MWWA Comments – Greg Bonnot, President of MWWA
11. Legislative Initiative Discussion – MWWA representative and Steve Sturgess
12. Proposed Notice of Appeal
13. Other Business
14. Future Meeting Dates and Times
15. Roll Call Vote for Next Closed Session
16. Adjournment of Meeting

**The Well Installation Board may vote to go into closed session during this meeting to discuss:** legal actions, causes of action or litigation, confidential and privileged matters with the Board's attorney as provided for in Section 610.021(1), (RSMo); personnel actions as provided for in Section 610.021(3); testing and examinations as provided for in Section 610.021(7); personnel records or applications as provided for in Sec-

tion 610.021(13) or records which are otherwise protected from disclosure by law as provided for in Section 610.021(14).

Those persons wishing to address the Board on any of the agenda items should contact this office, at (573) 368-2450 at least two (2) business days before the meeting in order to be scheduled for comment.

People with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling (573) 368-2450 or by writing to Department of Natural Resources, DGLS, P.O. Box 250, Rolla, Missouri 65402 prior to the meeting date. ♡

## ELECTIONS OF OFFICERS

### *New Well Installation Board Officers*

The regular meeting of the Well Installation Board was held on February 23, 2004 at the Holiday Inn, Sun Spree Resort in Lake Ozark, Missouri in conjunction with the Missouri Water Well Association's annual convention. Bob Lawrence was elected Chairman and Fred Schoen was elected Vice-Chairman.

### *New Missouri Water Well Association Officers*

On February 24, 2004, the Missouri Water Well Association (MWWA) elected new officers: Greg Bonnot as president, Kenny Boessen as vice-president, Gary O'Day as secretary, and David Schnell as treasurer.

### *New Missouri Groundwater Association Officers*

Officers of the Missouri Groundwater Association include Suzanne Bailey as president, Ron Sides as vice-president, and Chris English as secretary/treasurer. The MGA Conference was February 27, 2004.

All of these distinguished people are congratulated and the section looks forward to working with them in the future. ♡



## 2003 REPORT ON NEWTON/JASPER COUNTY WELLS

Groundwater from new wells drilled since Jan. 1, 2002 in the Newton/Jasper County area must be sampled and analyzed for lead and cadmium content. Most samples are collected by our pump installers, sent to an approved lab, and data from the lab is generally submitted to the division in a timely manner. The number of wells constructed in Newton/Jasper counties have not decreased due to the sampling requirements. However, the number of wells constructed in impacted areas have decreased.

Problems encountered with Special Area 2 well construction rules include: well owners installing their own pump--then being unwilling to collect a water sample and have the analyses completed; reluctance to have a well resampled once the initial sample has indicated impacted groundwater; and proper sampling of irrigation wells.

Division staff held a stakeholder meeting in Newton/Jasper County on March 31, 2004 for the purpose of getting ideas from contractors to address these and other issues of local concern. The findings will be submitted to the Well Installation Board at the May 17 meeting and responses will be formulated for potential Board action at the August meeting. ♡

## CURRENT WELL ADVISORIES

The following well drilling advisories are in effect for the State of Missouri:

### **Advisory #1:**

**Site Name:** New Haven (Franklin County). Also known as the Riverfront Superfund Site.

**Contaminants of concern:** Tetrachloroethene (PCE) and its

degradation products. These chemicals may cause cancer if consumed in significant quantities.

To assure that new wells case out known contamination, all new wells drilled in the area should be constructed in accordance with the following standards:

### **Sec 36, Town 45, Range 3W:**

Consult the division for construction specifications. Much of this area is currently served by public drinking water.

### **Sec 2, N ½ Sec 11, SW ¼ Sec 1 and NW ¼ Sec 12, Town 44, Range 3W:**

Water Wells:

Recommended Casing: 200 feet

Recommended Grouting: Full-length

Recommended Borehole Size: 10 inch

Heatpump Wells:

Recommended not to be constructed in area until plume is further delineated.

Construction using alternating plugs and fill has potential to spread contamination.

Contractors and homeowners could assume liability if contamination is spread.

**Additional Information:** <http://missouri.usgs.gov/epa/nh/welladvisory/advisory.htm>

**Contact:** Evan Kifer at 573-368-2170 or Candice McGhee; MDNR Superfund, 573-751-1738

### **Advisory #2:**

**Site Name:** Hematite (Jefferson County).

**Contaminants of concern:** Trichloroethylene (TCE) and dichloroethylene (DCE). These chemicals may cause cancer if consumed in significant quantities.

Trichloroethylene (TCE) and dichloroethylene (DCE) have been detected in the groundwater to a known depth of 125 feet and possibly to a depth of 325 feet. State Highway P, Rice Street, Lee Road, Jo Ann Drive, and an imaginary line roughly half a mile west of the National Guard Armory (located near the Highway A and P intersection) encircle the possible contamination area. The groundwater advisory area is within portions of

the south half of Section 9, a north portion of Section 16, and a west portion of Section 10, Township 40 North, Range 5 East.

Well drilling is currently not recommended within this area until the full extent of the TCE and DCE plume is determined.

**Contact:** Evan Kifer at 573-368-2170 or Candice McGhee; MDNR Superfund, 573-751-1738.



## DO I NEED A PERMIT TO DO THIS?

We have received several inquiries recently regarding the need for a permit to install a pressure tank or pressure switch. The answer to this question can be easily found in Chapter 3 of the Missouri Well Construction Rulebook under 10 CSR 23-3.050 (F) & (G).

The rulebook says:

Section (F) reads "A permitted well installation contractor or pump installation contractor must perform all electric wiring which impacts the operation of the pump or pumping system. This includes wiring from the pump to the control boxes to the main power supply such as the breaker box in a house. ..."

Section (G) reads "... A permitted well installation contractor or pump installation contractor must perform all plumbing which impacts the distribution of water from its source, through the pressure system to the point of entry inside or outside of the structure or building being served. This includes, but is not limited to, pressure tanks, water treatment equipment and any other materials needed to complete the initial installation of the water system, inside and outside of the structure, except as exempted in section 256.607, RSMo."

This simply means that you must have a well or pump installation contractor permit to install a pressure tank or a pressure switch. ♡

## THE HISTORY OF SALEM MISSOURI'S ONE (AND ONLY) OIL WELL

The year was 1929. Gas and oil were being produced in Northwestern Missouri, a blessing for landowners struggling through the de-

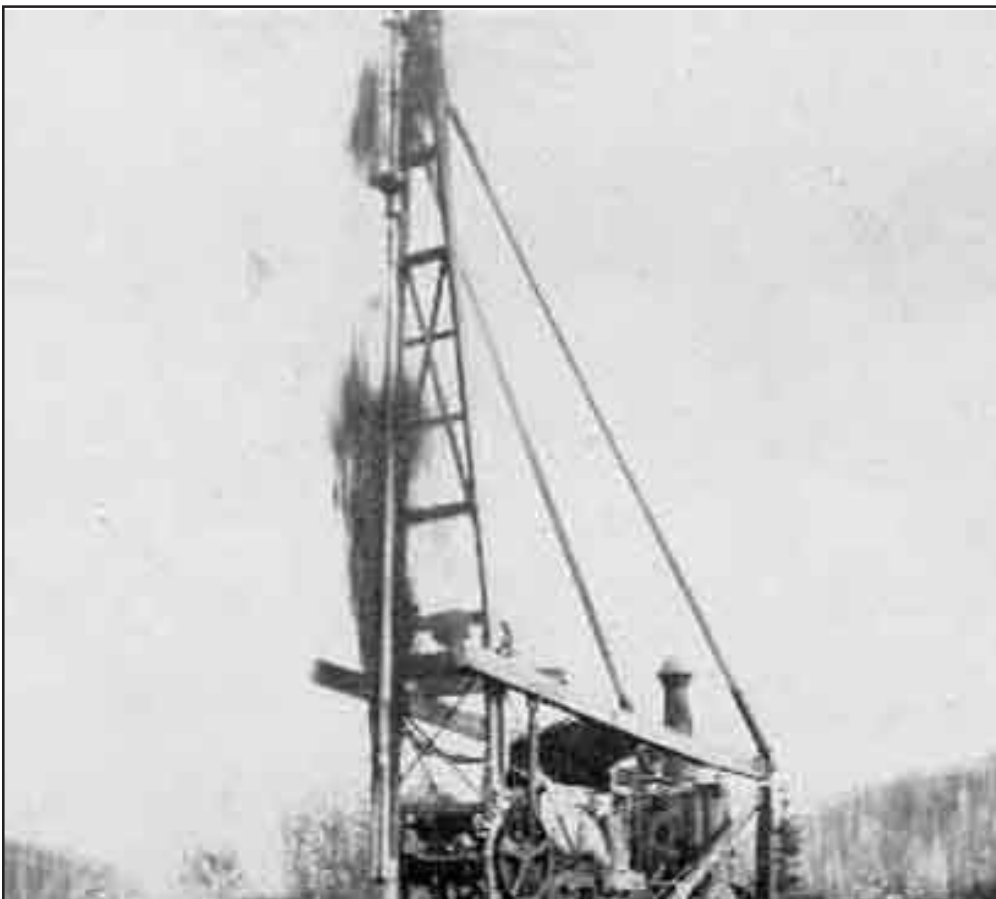
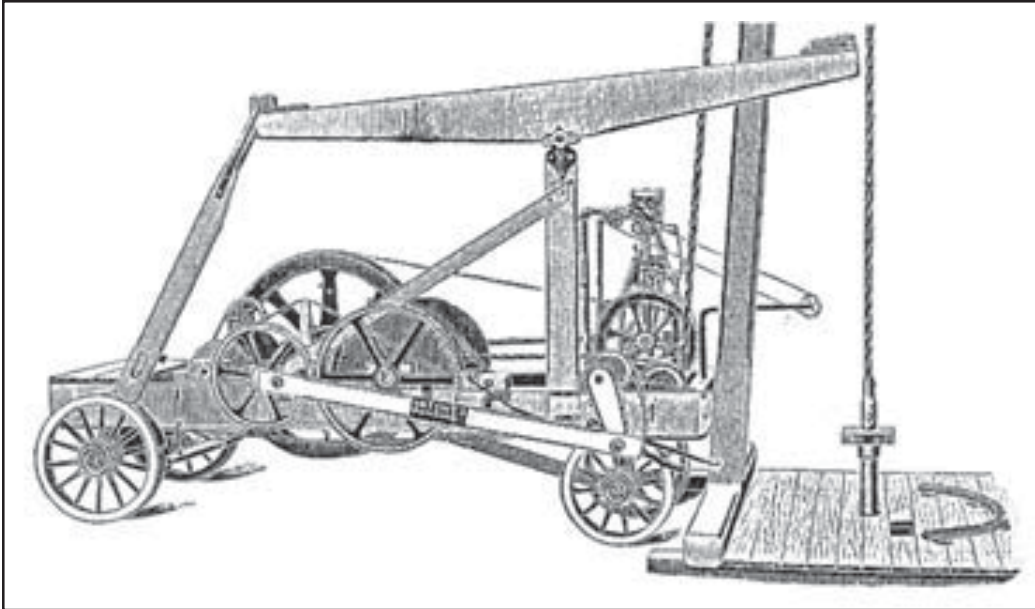
pression. In the spring of 1929, a Dent County resident leased his Dent County farm to Raymond Garrison and Company of Toledo, Ohio. Garrison then began to promote the Salem area as one of the largest oil reserves in the world. According to a local newspaper (the Salem Post) and relatives of the farm owner, Garrison told the farmer to "Go out and buy anything

you want. You're going to be rich!" Fortunately for the farmer, he was cautious enough not to follow this advice without an exploration program.

The drilling equipment, including a "Keystone spudder" began arriving on April 25, 1929 and drilling began in earnest on May 9, 1929. By August of 1929 the test well had reached a depth of 475 feet. While no oil had been encountered, the company was continuing to express great confidence in their eventual success. In November of 1929 the company leaked the information that it had encountered an oil-bearing sandstone, sparking a brief spurt of "oil fever" throughout the area. Wild stories of Dent County wells gushing oil began to circulate along with a rumor that gold had also been found. Cars and horse drawn wagons began arriving from miles around as people clustered to watch the drilling in progress.

Unfortunately, the information the company leaked was apparently part of a scheme to sell stocks in the "Salem oil boom" in other places around the country. While it is not known exactly when drilling stopped on the well, it is rumored that Garrison and Company exited town in such a hurry that a full set of tools were left in the well. The reported well depth was 1,757 feet. In any case, when the official geologic reports confirmed there was no oil (or gold) present, the derrick was eventually torn down.

Fifty years later, in 1979, an article in the Salem Post noted that old pipes, broken belts and various lengths of cable scattered among the underbrush were still left at the site. They noted weed filled trenches leading from the well site to two overflow ponds located farther down the hill. The ponds were complete with pipes and valves, but were full of water, not oil. ♡



WELCOME

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Associated Environmental\Wes  
Presley, Jacob VanDoren  
B & H Drilling\Derrick Jones  
Bender Environmental\James  
Luepke  
Choates Pump Service\Ryan  
Choate  
Contract Dewatering\Richard  
Neumann  
Direct Push Analytical\Bryan  
Kinzer  
Drill It Well\Richard Linebaugh  
Emily\Anthony Emily  
Environmental Strategies\Jerome  
McSorley  
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